

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James BRUGGER, et al.)	Confirmation No:
)	
Application No.: 10/578,600)	Group Art Unit: Unassigned
)	
Filed: MAY 8, 2006)	Examiner: Unassigned

For: IMPROVED METHODS AND APPARATUS FOR LEAK DETECTION IN BLOOD PROCESSING SYSTEMS

United States Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

TO PCT LEGAL DEPARTMENT
PETITION UNDER RULE 1.182
FOR CORRECTION OF TRANSMITTAL LETTER (PTO-1390)
TO THE UNITED STATES/DESIGNATED/ELECTED OFFICE
CONCERNING SUBMISSION UNDER 35 U.S.C 371

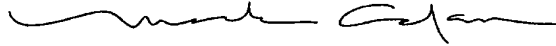
Sir:

This is a petition to request correction of the transmittal identified above which contained the following errors: (1) it incorrectly identified the International Application Number on the first page, only; (2) it contained the wrong Priority Date; and (3) it indicated that the filing was a Second submission rather than a first submission. The attached transmittal correctly identifies the International Application as PCT/US2004/036933, the Priority Date Claimed is 07 November 2003, this is a First submission. The original filing, with the incorrect transmittal letter contained the correct PCT application number on the second page and was filed with a copy of the published PCT application which also correctly identified the PCT application and the Priority Date Claimed. Applicants note that the continuity data in the PTO's docketing system was taken from the erroneous transmittal and requests correction.

The Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1165.

Date: November 14, 2007
Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, VA 22102
Telephone: 703-610-8675
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CUSTOMER NO: 00181

Respectfully submitted,



Mark A. Catan
Attorney for Applicant
Reg. No.: 38,720
Customer No. 00181

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 53951-168
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/US2004/036933	INTERNATIONAL FILING DATE 05 November 2004	PRIORITY DATE CLAIMED 07 November 2003
TITLE OF INVENTION IMPROVED METHODS AND APPARATUS FOR LEAK DETECTION IN BLOOD PROCESSING SYSTEMS		
APPLICANT(S) FOR DO/EO/US JAMES BRUGGER, CHRISTOPHER MCDOWELL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the international Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce,

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) TO BE ASSIGNED		INTERNATIONAL APPLICATION NO. PCT/US2004/036933		ATTORNEY'S DOCKET NUMBER 53951-168US NAT'L	
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21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	- 20 =		x \$18.00	\$	
Independent Claims	- 3 =		x \$88.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$300.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =				\$1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1,000.00	
				Amount to be refunded: \$	
				Amount to be charged: \$	

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 16-2500 in the amount of \$_____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 16-2500. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be
 filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W. Suite 400 South Washington, D.C. 20004 CUSTOMER NO: 61263	<div style="text-align: right;"> </div> <div style="text-align: right;"> SIGNATURE <u>MARK A. CATAN</u> NAME <u>38,720</u> REGISTRATION NUMBER </div>
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